

AN ORDINANCE

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SELECTING FESSEL INTERNATIONAL HOSPITALITY CONSULTANTS TO PROVIDE RESTAURANT AND VISITOR FACILITY CONSULTANT SERVICES FOR THE CITY'S TOWER OF THE AMERICAS; AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$111,200.00; AUTHORIZING \$5,000.00 FOR CONSULTANT CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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WHEREAS, the restaurant operation at the Tower of the Americas has been operated by Tower Foods, Inc. since the opening in 1968 with the most recent contract with Tower Foods, Inc., approved in 1986, expiring on January 1, 2004; and

WHEREAS, in anticipation of the pending contract expiration, staff developed a process and timeline to select a Tower restaurant/visitor facilities operator and this was presented at a City Council B Session briefing on March 13, 2003; and

WHEREAS, staff proposed to select a consultant with broad experience in special revenue venues through a Request for Qualifications (RFQ) process; and

WHEREAS, an open, public Request for Qualifications (RFQ) for restaurant and visitor facility consultant services for the Tower of the Americas at HemisFair Park was released on March 21, 2003; and

WHEREAS, two responses were received in response to this RFQ and after careful review by and evaluation committee, Fessel International was rated overall higher than Designs in Dining;
NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:


SECTION 1. The City Manager or her designee is hereby authorized to execute an agreement with Fessel International Hospitality Consultants to provide restaurant and visitor facility consultant services for the City's Tower of the Americas for a fee not to exceed \$111,200.00 plus \$5,000.00 for consultant contingency expenses. If an agreement, as first reviewed and approved by the City Attorney, is not signed by both parties within sixty (60) days from the effective date of this ordinance, it becomes null and void, and any further signed documents must be considered by the City Council.

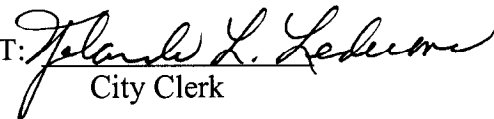
SECTION 2. The amount of \$111,200 is appropriated and encumbered in the Hotel-Motel Tax Convention Facilities Renewal and Improvement Fund (29-005007) in Index Code 608539 entitled Fees to Professional Contractors and made payable to Fessel International Hospitality Consultants to provide restaurant and consulting services to the City's Tower of the Americas

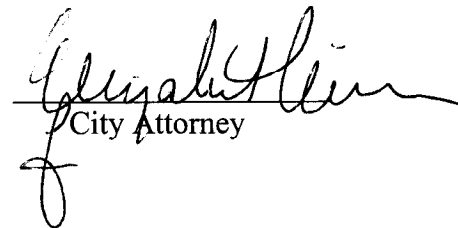
SECTION 3. Funds in the amount of \$5,000 are authorized to be encumbered in the Hotel-Motel Tax Convention Facilities Renewal and Improvement Fund (29-005007) in Index Code 608539 entitled Fees to Professional Contractors and made payable to a contingent vendor for consultant contingency expenses.

SECTION 4. This ordinance shall be effective on and after the tenth day of passage hereof.

PASSED AND APPROVED this 26th day of June, 2003.


MAYOR
for **EDWARD D. GARZA**

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney